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May 26, 1993

OF COUNSEL
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RECEIVED

MAY 26 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N. W.
Washington, D. C. 20554

Re: MM Docket No. 93-107

Dear Ms. Searcy:

On behalf of ASF Broadcasting Corporation, applicant in the above-referenced proceeding, there are transmitted herewith an original and six copies of its **MOTION TO ACCEPT ITS PROOF OF PUBLICATION.**

Should additional information be necessary in connection

Before the
Federal Communications Commission
Washington, D.C. 20554

RECEIVED
MAY 26 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re Application of)

MM Docket No. 93-107

DAVID A RINGER)
et al.)

File Nos. BPH-911230MA et al.

For Construction Permit for)
New FM Station on Channel 280A)
at Westerville, Ohio)

TO: Administrative Law Judge
Walter C. Miller

MOTION TO ACCEPT ITS PROOF OF PUBLICATION

ASF Broadcasting Corporation ("ASF"), by its attorneys, hereby respectfully requests that the Presiding Judge accept the attached Proof of Publication pursuant to Section 73.3594 of the Rules.

The Commission's Rules, specifically 47 C.F.R. §73.3594(a)(1)(i) requires that if the notice is published in a weekly newspaper, such publication take place for three consecutive weeks within the four week period following the release of the FCC's Order specifying the time and place of the commencement of the hearing. The Commission's Order so specifying was released April 21, 1993 (see FCC 93M-171). The fourth week from that date was May 19, 1993. The attached Proof of Publication indicates that ASF's notice was published on May 5, 12, and 19, 1993, clearly within the limits specified in the Rule.

Section 73.3594(g) of the Rule requires that the Proof of Publication be filed within seven days of the last date of publication. May 26, 1993 is precisely seven days after the last date of publication.

Accordingly, it is respectfully requested that the Presiding Judge find that ASF has complied with the requirements of Section 73.3594 of the Rules, and accept this Proof of Publication.¹

Respectfully submitted,

ASF BROADCASTING CORPORATION

By 
James A. Koerner
Its Attorney

BARAFF, KOERNER, OLENDER
& HOCHBERG, P. C.
5335 Wisconsin Avenue, N.W., Suite 300
Washington, D.C. 20015-2003
(202) 686-3200

May 26, 1993

26054.00\MOTION TO ACCEPT PROOF OF PUBLICATION\MAY1993

¹ASF filed a "tear sheet" concerning publication on May 18, 1993, prior to the last date of publication.

Section 35.51, FRA-270-3590 on Interstate Route 270, Section 35.90, and FRA-270-3487 on Interstate Route 270, Section 34.87, by overlaying the dopes with micro-silica modified concrete and performing other related work.

Bidding #3

Bidding on this project is restricted to Minority Business Enterprises (MBEs) certified as MBEs in accordance with Section 123.151 (B) (2) of the Ohio Revised Code by the State Equal Employment Opportunity Coordinator and qualified to bid with ODOT under Chapter 5525 of the Ohio Revised Code.

"The date set for completion of this work shall be as set forth in the bidding proposal."

Plans and Specifications are on file in the Department of Transportation and the office of the District Deputy Director.

JERRY WRAY
DIRECTOR OF TRANSPORTATION
MAY 5, 12, 1993

NOTICE

On April 15, 1993 the Federal Communications Commission designated for hearing applications of David A. Ringer, ASF Broadcasting Corporation, Wilburn Industries, Inc., Kyong Ja Matchak, Shalee F. Davis, Westerville Broadcasting Company Limited Partnership, and Ohio Radio Associates, all seeking a Construction Permit for a new FM broadcast station to operate on the frequency 109.3 MHz at Westerville, Ohio. Hearing is scheduled to commence at the offices of the Federal Communications Commission in Washington, D.C. on August 31, 1993 on the following issues:

1. To determine whether there is a reasonable possibility that the tower height and location proposed by WBC would constitute a hazard to air navigation.
2. To determine which of the proposals would, on a comparative basis, best serve the public interest.
3. To determine, in light of the evidence adduced pursuant to the specified issues, which of the applications should be granted, if any.

The case will be heard before Judge Walter C. Miller, and will be held at the offices of the Federal Communications Commission, 2000 L Street, N.W., Washington, DC on August 31, 1993 at 10:00 a.m.

A copy of the application of ASF Broadcasting Corporation is available for public inspection at the Westerville Public Library.

Ardeth Frizzell

May 5, 12, 19, 1993

CITY OF WESTERVILLE
PUBLIC NOTICE

NOTICE is hereby given that the Westerville Planning Commission will hold a Public Hearing on Wednesday, May 26, 1993 in City Council Chambers, 21 S. State Street, at 7:00 p.m. to consider a Conditional Use permit to allow the use of an existing residential structure as a fraternity or sorority house in the R-4, Multi-Family District.

located at 172 174 W. Main St.

go.

location is on file with the Secretary of S. State Street and can be reviewed 8:00 a.m. to 5:00 p.m.

less with ADA and will make special for special requests contact the City in advance of the meeting.

Post-It™ brand fax transmittal memo 7671

To	From
Co.	Co.
Dept.	Phone #
Fax #	Fax #

Sealed proposals will be received at the office Department of Transportation, Columbus, Thursday, May 27, 1993 for improvements Delaware, Fayette, Franklin, Madison, Mark Counties, Ohio for improving various route repair.

"The date set for completion of this work bidding proposal."

Plans and Specifications are on file in the District and the office of the District Deputy Director

JERRY WRAY
DIRECTOR OF TRANSPORTATION
May 5, 12, 1993

CITY OF WESTERVILLE**RESOLUTION NO. 93**

TO ESTABLISH THE NATURE AND EXTENT PROVIDED TO A 1.76 ± ACRE TRACT TOWNSHIP, LOCATED ON COLLEGE AVE ROAD, UPON ANNEXATION OF SAID TOWNSHIP.

ORDINANCE NO. 93-

TO ESTABLISH THE EMPLOYMENT CLAUSE FOR THE POSITION OF LIEUTENANT DIVISION OF POLICE, AND TO DECLARE A

ORDINANCE NO. 93-

TO PROVIDE FOR THE APPROPRIATION PURPOSE OF CONDUCTING A COMPREHENSIVE STUDY OF I-270.

Sharon L. Hahn, CMC
Clerk of Council
May 12, 1993

PUBLIC NOTICE

The City of Westerville, Ohio, will receive bids a Council, 21 South State Street, until 2:30 P.M., which time they will be publicly opened and read item(s):

CONTRACTUAL TREE TRIMMING

Specifications and proposal forms are available of Council. Bids must be submitted in sealed envelopes as to item being bid.

The City reserves the right to reject any and all bids.

G. David Lindmore
City Manager
May 5, 12, 1993

Prayers**POWERFUL NOVENA OF CHILDLIKE CONFIDENCE**

In loving memory of Don Gerdeman, who died April 18, with gratitude to Jesus, the Infant of Prague, who eased his suffering in his final days.

(This novena is to be said at the same time every hour for nine consecutive hours--just one day.)
O Jesus, who has said, "Ask and you shall receive, seek and you shall find, knock and it shall be opened to you," through the intercession of Mary, Thy most holy Mother, I knock, I seek, I ask that my prayer be granted.
(Make your request.)

O Jesus, who has said, "All that you ask of the Father in My Name, He will grant you," through the intercession of Mary, Thy most holy Mother, I humbly and urgently ask Thy Father in Thy Name that my prayer be granted.
(Make your request.)

O Jesus, who has said, "Heaven and earth shall pass away but My word shall not pass," through the intercession of Mary, Thy most holy Mother, I feel confident that my prayer will be granted.
(Make your request.)

Information

PREGNANT?
FOR FREE CONFIDENTIAL HELP
CALL 221-0844

WARNING

WESTERVILLE RESIDENTS
All address number painters must have a permit to paint address numbers on the curb in Westerville.

Business Opportunity**DID YOU**

notice this because of large type?

MASTERCARD OR VISA
ONLY \$75.00 DEPOSIT
With \$300.00 limit. Good, bad, or no credit--No Problem!
876-2311
DISTRIBUTORS NEEDED!

ANNOUNCEMENTS**Information**

AIDS TESTING
Anonymous 794-9107.

DONATE YOUR Car, Van, RV, Boat, Truck to CHARITY serving the Blind. IRS Tax Deductible
FREE TOWING. Need Not Run
1-800-995-8889

NOW OPEN
CARDINAL BOOKS
5410 W. Broad St.
NEW HOME 875-8913
OPEN - Mon.-Sat. 10 am - midnight
ADULT VIDEO - ARCADE - BOOKS
NOVELTIES - VIDEO RENTALS



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CERTIFICATE OF SERVICE

I, Jeanne E. Butler, a secretary in the law offices of Baraff, Koerner, Olender & Hochberg, P. C., do hereby certify that copies of the foregoing **MOTION TO ACCEPT PROOF OF PUBLICATION** were sent this 26th day of May, 1993, via first class mail, postage prepaid to the following:

Administrative Law Judge Walter C. Miller*
Federal Communications Commission
2000 L Street, N. W., Room 213
Washington, D. C. 20554

James Shook, Esquire*
Federal Communications Commission
2025 M Street, N. W., Room 7212
Washington, D. C. 20554

Arthur V. Belendiuk, Esquire
Smithwick & Belendiuk
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Washington, D. C. 20036

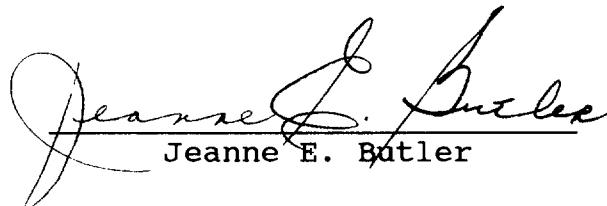
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Jeanne E. Butler

*Hand Deliver